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**DEPARTMENT OF STATE**

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	<b>Board of Massage and Bodywork</b>
MEETING DATE AND TIME:	<b>Thursday, February 16, 2012 at 1:00 p.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room B</b> , second floor Cannon Building
MINUTES APPROVED:	March 15, 2012

**MEMBERS PRESENT**

Gordon Gelley, Public Member  
Sharon Harris, Public Member, Secretary  
Wayne Dawson, Professional Member  
Sandra Jachimowski, Professional Member  
Holly Overmyer, Professional Member, President  
Rachel Dunning, Public Member

**MEMBERS ABSENT**

There were no members absent.

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL/COURT REPORTER**

Eileen Heeney, Deputy Attorney General  
Jennifer Witte, Administrative Specialist II

**OTHERS PRESENT**

David Patterson  
Khalil Abdul-Majid  
Marque Hales

**CALL TO ORDER**

Ms. Overmyer called the meeting to order at 1:41 p.m.

**REVIEW OF MINUTES**

The Board reviewed the minutes from the January 19, 2012 meeting. A motion was made by Ms. Harris, seconded by Ms. Dunning, to approve the minutes as presented. The motion unanimously carried.

**UNFINISHED BUSINESS**

Proposal to Deny Hearing Continuance -Khalil Abdul-Majid

The hearing went on record at 1:47 p.m.

Ms. Heeney introduced that this was a continuance hearing for Mr. Abdul-Majid as a result of a proposal to deny hearing for a conviction of crimes substantially related to the practice of massage as set forth in Del. C. 5313 (a)(2). The original hearing was held on January 19, 2012.

Ms. Heeney had marked as Applicant Exhibit 1 a packet of letters of recommendation from various sources as requested by the Board during the original proposal to deny hearing.

Ms. Heeney also marked into evidence as Board Exhibit 1 the notice of the continuance hearing scheduled for today.

The Board members were introduced.

Mr. Abdul-Majid was sworn in and testified that he hoped that the Board will consider granting him licensure as a Certified Massage Technician after the review of the letters.

The Board reviewed Applicant Exhibit 1.

Mr. Abdul-Majid answered questions from the Board members.

The hearing went off record and into deliberations.

The hearing went back on record at 2:13 p.m.

A motion was made by Mr. Dawson, seconded by Ms. Harris, to grant a waiver under Del. C. 5313 that the length of time has occurred and the Board does not feel Mr. Abdul-Majid to be a threat to society. The motion was unanimously carried.

The hearing went off record at 2:14 p.m.

The hearing went back on record at 2:21 p.m.

A motion was made by Mr. Dawson, seconded by Ms. Harris, to grant a waiver under Del. C. 5313 that the length of time has occurred and the Board does not feel Mr. Abdul-Majid to be a threat to society. The motion was carried by Ms. Overmyer, Ms. Dunning, and Mr. Gelley. Ms. Jachimowski was opposed.

The hearing went off record at 2:23 p.m.

Verbatim testimony was taken by a court reporter.

#### Proposal to Deny Hearing-Marque Hales

The hearing went on record at 2:29 p.m.

Ms. Heeney introduced that this was a proposal to deny hearing for Marque Hales for a violation of Del. C. 5309 (a) (3) resulting in an Order dated December 11, 2011 revoking her license.

Ms. Heeney entered as Board Exhibit 1: a packet of documents including: application for licensure as a Massage Therapist, CPR card, transcripts, proposal to deny notice, Ms. Hale's request for hearing before the Board, and notice of today's hearing.

Ms. Heeney also entered as Board Exhibit 2: a copy of the Recommendation from the Chief Hearing Officer.

The Board members were introduced.

Ms. Hales was sworn in and agreed to proceed without legal counsel.

Ms. Hales testified that the problems she had with the 2008-2010 license renewal is what brought her here today. There was a problem with the Board receiving the documents that she attempted to send in several times. She stated that she mixed the dates up which is why she wasn't present for the Rule to Show Cause Hearing which proceeded without her attendance resulting in her license being revoked.

Ms. Hales stated that she was advised that she can reapply for licensure and when she did she was proposed to deny by the Board. She stated to the Board that she was here today to get her license back.

Ms. Hales answered questions from the Board.

The hearing went off record and into deliberations.

The hearing went back on record at 3:00 p.m.

A motion was made by Mr. Dawson, seconded by Mr. Gelley, to approve the Licensed Massage Therapist application of Marque Hales. The motion was unanimously carried.

The hearing went off record at 3:02 p.m.

Verbatim testimony was taken by a court reporter.

#### Signing Decision and Orders

The Board tabled this agenda item until the March 15, 2012 meeting.

#### Compliance to Recommendation of the Chief Hearing Officer

After review of additional CEU's, a motion was made by Ms. Harris, seconded by Mr. Dawson, to approve the post-renewal audit of Melissa Collins. The motion was unanimously carried.

#### Review of Updated Bill

There was no update on then Bill as there is a Legislative break.

### **NEW BUSINESS**

#### Ratification of Temporary Massage Technician Certifications

A motion was made by Ms. Harris, seconded by Ms. Dunning, to approve the ratification of the Temporary Massage Technician applications of Christina Clayton, Heath Carely, and Cheryl Williams. The motion was unanimously carried.

#### Ratification of Massage Technician Certifications

A motion was made by Ms. Harris, seconded by Mr. Dawson, to approve the ratification of the Massage Technician Certifications of April Meredith, Nikolina Maleska, Alysia O'Neill, Xiu Fang Wang, Brianna Rodgers, Denise Bossard, Sonya Ramil, Vella Harris, Jerrie Stice, Sherilynne Fields, Daira McCullough, Stacy VanDenHeuvel, Jessica Hubbard, Keisha Roberts, Michelle

Dunsmore, Anh Ngoc Van Pham, Samantha Malone, Christine Tackett, Rebecca Schulte, Melissa Horwath, Rebecca Enrico, Eva Tapia, Dion Hopkins, and Maureen Bussink. The motion was unanimously carried.

#### Ratification of License Massage Therapists Applications

A motion was made by Ms. Harris, seconded by Mr. Dawson, to approve the ratification of the Massage Therapist applications of Elizabeth Minker, John Rossi, Michele Bartley, Raven Halle, Judith Isabella, Karyn Malloch-Bailey, Kathy Naylor, Gina Perez, Rebecca Asher, and Dong Li. The motion unanimously carried.

#### Review and Deliberation of Hearing Officer's Recommendation to the Board

After a review of the recommendation, a motion was made by Mr. Dawson, seconded by Ms. Harris, to approve the recommendations of the Chief Hearing Officer as amended in regard to the rule to show cause hearing of Sharon Ingiosi. The motion was unanimously carried.

#### Continuing Education Reviews

After review, a motion was made by Ms. Jachimowski, seconded by Mr. Dawson, to approve the following applications for continuing education:

##### Northwestern Health Sciences University

-2012 Massage Therapy Winter Symposium, Saturday course 5.75 hrs core, 2.25 hrs elective  
Sunday course 4.5 hrs core, 3.0 hrs elective

##### Christopher Asay Massage

-Hawaiian Massage, 24 hrs, core  
-Review of Hawaiian Massage Kata, 12 hrs, core  
-Advanced Bodymechanics for the Massage Professional, 12 hrs, core

##### Rosalyn Skinner

-Reiki first Degree, 8 hrs, elective

##### Stacia's Mastery Massage and Bodywork

-Reiki 1 & 2, 12 hrs, elective  
-Reiki Art & Master, 12 hrs, elective

The motion was unanimously carried.

#### Review of Applications-Eileen Heeney

After review, a motion was made by Mr. Dawson, seconded by Ms. Harris, to approve the Certified Massage Technician application of Jolie Norris and the Licensed Massage Therapist application of Joan Negus-Mulloney. The motion was unanimously carried.

#### Review of Consent Agreement

After review, a motion was made by Mr. Dawson, seconded by Ms. Harris, to accept and approve the Consent Agreement of Thomas Gibson. The motion was unanimously carried.

### **Complaint Status**

20-09-10-Assigned to Hearing Officer  
20-11-10- Closed  
20-13-10-Assigned  
20-14-10-Assigned  
20-15-10-Assigned  
20-16-10-Assigned  
20-02-11-Assigned  
20-03-11-Forwarded to AG's Office  
20-04-11-Closed  
20-05-11-Assigned to Hearing Officer  
20-07-11-Closed  
20-08-11-Forwarded to AG's Office  
20-10-11-Closed

### **CORRESPONDENCE**

There was an email that was received in reference to "non-therapeutic body rubs" and Ms. Witte looked to the Board for guidance in answering this email. The Board advised to refer this person to the Rules and Regulations for the scope of practice.

### **OTHER BUSINESS**

Ms. Heeney advised that the Board will hold a Rules and Regulations hearing for the Board's acceptance of the MBLEx exam as an exam option for Delaware at the April 19, 2012 Board meeting.

Ms. Harris expressed her concern for the vacancy of the Vice-President position on the Board.

Ms. Witte noted that elections will be added as an agenda item for the March 15, 2012 meeting.

Ms. Harris suggested that the Board members who are also professional members be able to claim CEU's for the attendance of the meetings.

A motion was made by Ms. Harris, seconded by Mr. Dawson, to grant 1 CEU elective hour per professional Board member per Board meeting attended up to the maximum 25% elective. The motion was unanimously carried.

### **PUBLIC COMMENT**

There was no public comment.

### **NEXT SCHEDULED MEETING**

The next meeting is scheduled for March 15, 2012 at 1:30 p.m.

### **ADJOURNMENT**

There being no further business, a motion was made by Mr. Dawson, seconded by Mr. Gelley, to adjourn the meeting. The motion was unanimously carried. The meeting was adjourned at 4:08 p.m.

Respectfully submitted,

Jennifer Witte

Administrative Specialist II